

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

<b>Joseph L. Forcucci,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 11-0369 -CV-W-JTM</b>
	)	
<b>Carolyn W. Colvin,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

Pending before the Court is plaintiff's *Motion For Attorney Fees Pursuant to Section 206(B) of the Social Security Act, U.S.C. §406(b)* filed July 2, 2014, [Doc. 25]. After due consideration of the issues presented, and finding the requested fee of \$44,362.50 reasonable in light of the diligent and perseverant work performed on behalf of plaintiff and his daughter in this case, as documented in Plaintiff's filings and reflected in the benefit award, *See Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is

**ORDERED** that plaintiff's *Motion For Attorney Fees Pursuant to Section 206(B) of the Social Security Act, U.S.C. §406(b)* filed July 2, 2014, [Doc. 25] is **GRANTED**. Accordingly, plaintiff's counsel is awarded fees pursuant to 42 U.S.C. §406(b) in the amount of \$44,362.50, which were withheld by the Commissioner from the total past due benefits awarded to plaintiff, and shall refund to plaintiff the earlier EAJA fee award of \$8,037.06.

/s/ John T. Maughmer  
**John T. Maughmer**  
**United States Magistrate Judge**